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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,384	01/28/2004	Douglas C. Myers	10541-1824	3353
29074	7590	02/07/2007		
VISTEON C/O BRINKS HOFER GILSON & LIONE PO BOX 10395 CHICAGO, IL 60610			EXAMINER BELLINGER, JASON R	
			ART UNIT	PAPER NUMBER
			3617	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/07/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/766,384	Applicant(s) MYERS ET AL.	
	Examiner Jason R. Bellinger	Art Unit 3617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 9-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 9-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. The drawings were received on 20 November 2006. These drawings are approved.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "the detachable half shaft assembly being detached from the shaft bell", as set forth in claims 1 and 9, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4. Claims 1-4 and 9-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 9 are indefinite due to the fact that it is unclear how the “detachable half shaft” may be “Detached from the shaft bell”; given the fact that shaft bell and half shaft are shown as integral elements in the drawings.

Claim Rejections - 35 USC § 102

5. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

6. Claims 1-4 and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Austin. As best understood, Figure 4 of Austin shows a detachable half shaft assembly 10 including a shaft bell 46 and a disc rotor 26. The detachable half shaft includes a preloaded bearing assembly having an inner surface formed through inboard and outboard ends. A detachable body 14 includes an inboard interface at an inboard end

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72 and an outboard interface at an outboard end 76. The inboard interface is configured to connect to the shaft bell 46, while the outboard interface connects to the brake rotor 26. The detachable body 14 includes a bearing-receiving portion defined by a stepped boss (formed near the outboard end 76 of the body 14) and a roll-formed face (formed at the inboard end 72 of the body 14).

The inner surface of the preloaded bearing assembly is received on the bearing-receiving portion of the detachable body 14, with the stepped body and roll-formed face engaging the bearing assembly at the inboard 72 and outboard 76 ends to maintain the preload tension thereon when the detachable half shaft assembly 10 is detached from either the shaft bell 46 or the disc rotor 26. The bearing assembly includes an outer race 32 having an inner wall formed therethrough with inboard and outboard outer raceways formed thereon. An outboard inner race is disposed adjacent the outboard end 76 of the detachable body 14, and includes a first raceway formed thereon to cooperate with the outboard outer raceway to house bearings 55.

An inboard inner race 73 is disposed adjacent the inboard end 72 of the detachable body 14, and includes a second raceway formed thereon to cooperate with the inboard outer raceway to house bearings 56. The inboard inner raceway includes an inboard inner surface.

Response to Arguments

7. Applicant's arguments filed 20 November 2006 have been fully considered but they are not persuasive. The Applicant argues that the replacement drawing sheets now

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clearly show the shaft bell 14 and the detachable half shaft assembly 12 not being integral parts, and thus the rejection of claims 1-4 and 9-11 (specifically claims 1 and 9) is rendered moot. However, the drawings do not clearly show the above configuration. It is suggested that at least a partial exploded view would more clearly show that the half shaft assembly and the shaft bell are separate elements.

The Applicant argues that Austin teaches away from the claimed invention, since the shaft bell 46 is in engagement with the bearing assembly due to the fact that reference character 72 represents a deformed extension that preloads the bearing assembly "rather than an inboard interface at an inboard end configured to connect to the shaft bell 46". First, it should be noted that the bearing assembly of Austin includes portions of the hub 14. Second, inboard end 72 forms an interface that is "configured for connecting to the shaft bell" due to the fact that this end 72 contacts, or interfaces with, the shaft bell 46. No structure for how the "inboard interface" connects to the shaft bell has been provided in the claims, and therefore Austin still meets the limitation of the claims.

The Applicant further argues that the bearing assembly of Austin is in direct contact with the shaft bell, and that the shaft bell is not "separated from the bearing assembly" as set forth in the claims. However, element 72 of Austin serves a dual purpose, being both a part of the bearing assembly and the hub 14. The shaft bell 46 is not in direct contact with the bearings, only the innermost end surface of the inboard end 72.

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason R. Bellinger whose telephone number is 571-272-6680. The examiner can normally be reached on Mon - Thurs (9:00-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Morano can be reached on 571-272-6684. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason R Bellinger
Primary Examiner
Art Unit 3617

A handwritten signature in black ink, appearing to be 'JRB', written over a horizontal line.